

MERRIMAC PLANNING BOARD

MARCH 16, 2021

DRAFT MINUTES

CALL TO ORDER: Sandra Venner, Chair opened the meeting at 7:09 PM

ATTENDANCE: The Chair, Vice Chair Karol Flannery, Member Tom Abisalih and Alternate Member John Thomas sitting for Dennis Brodie. Also, in attendance the Site Plan Review Committee including Robert Sinibaldi Building & DPW and Jon Pearson, Conservation Commission, Janet Bernardo, Horsley Witten, Board Engineer The applicant Middlesex Holdings Dennis Page and Mike Trahan Dennis Leeds of Middlesex Land Holdings LLC, and Attorney Melissa Robbins.

APPROVAL OF MINUTES: 1. February 16, 2021 will to forwarded to the next meeting for approval.

OLD BUSINESS:

1. PROJECT UPDATES:

a. Abby Road:

This project is at a standstill at present, until details regarding financing are worked out between the developer and his financial institution. Engineer Janet Bernardo reported that the project was stable at the last site visit.

b. Regency Village :Commissioner Sinibaldi reported that much of the outstanding punch list has not been completed and several issues remain including debris left on property, improperly installed sidewalks, road way ponding and icing and a set of completed As Built Plans have not been received. This project must complete all outstanding work prior to the placement on a Town Meeting warrant for town street approval.

c. Old Glory Way, 114 East Main Street: Problems exist with the entrance.

d. 128 West Main Street. Chair reviewed the history of the Special Permit for a mixed use;the current member Alternate John Thomas, was on the board when this approved. Gino DiGiacomo Owner presented the argument for allowing the permit to remain active after such a long period; including continued work being done on completing the conditions and several extensions from the state. He stated that all was done except the house appearance. He is planning on moving into the house in September. And will renovate and paint the property prior to his moving in. Due to the fact that an escrow account is no longer active to pay for an inspection of the conditions, the Chair, Commissioner Sinibaldi, Alternate Member John Thomas and Member Tom Abisalih will inspect the property to see that all conditions are met. MOTION: The above Board Inspection Team will expect to see all conditions satisfactorily completed and approved by August 1, 2021. There will be no other extension for this project beyond the August 1, 2021 date for it to be considered active. VOTE: 4 YES/ 0 **NO MOTION APPROVED**

NEW BUSINESS: Public Hearing for Special Permit 118 East Main Street. Middlesex Holding LLC has applied for a Special Permit with Site Plan Review to develop over-55 elderly housing at the 8.3 acres site located at 118 East Main Street. The principals for the applicant including Attorney Melisa Robbing, Dennis Page, Dave Trahan and Surveyor Douglas Leeds attended the hearing to present the project and answer any questions from the board or the public regarding the development. The 8- duplex Condos, a total of 16

residences will have living, bedroom, bath & kitchen on the first floor and guest bed and baths on the second floor. Each will have individual garages, and will be sold market rate. The project will be serviced by water, natural gas and sewer. The property also has a sewer pump station on the left side of the property and a stream which is the overflow from Lake Attitash which runs underground toward Dunvegan Drive and to the Merrimac River. There was some confusion regarding the direction of the flow as the stream was not flowing at the time. The road driveway will be a private way owned and maintained by the developer but must be built to all sub-division standards. Shrubs and trees will be planted along the front facing East Main Street as well as throughout the project. Traffic flow is not thought to be problem.

The developer has agreed to run new water main from Wallace Way to the intersection of Attitash Ave East Main St. Commissioner noted that this joint DPW and Developer project will be a great benefit to the entire town as well as providing better water pressure and water quality to the development.

The applicant has received the first peer review from Janet Bernardo, Horsley Witten and will provide a written response at the next meeting. A question arose as to the calculations regarding the minimum amount of area allowed for open space as regards to wetlands. (See review on file from Horsley Witten.) This item will be reviewed and worked out by the Engineers.

The applicant was notified that Merrimac is a stretch Code Community so must conform to green building technologies requirements.

A list of waivers has not been received but will be provided at the next meeting date.

The applicant has applied for a ZBA Hearing to be held on April 13, 2021 for several variances needed for the project to go forward. They have also scheduled a meeting on April 23, 2021 with Conservation.

MOTION: To recess the Public Hearing

PUBLIC HEARING: By-Law Amendment : Village Residential District only regarding front facing garages. Article XXXXX will use option of Attorney's Parry proposal which basically reduces the minimum setback from 25 feet to 2 feet. The Board has forwarded this wording to the Board of Selectmen for placement on the Town Meeting Warrant as the board has expressed support and will formally vote the language tonight Motion To support the amendment at Town Meeting, 3 Yes/ 0 No. Motion approved.

The applicant must get approval from ZBA regarding variances in order for the project to go forward. The applicant has a hearing date with that board. They also have contacted and are scheduled for a meeting with the Conservation Commission.

Motion: To continue the Public Hearing for 118 East Main Street to April 20, 2012, the applicant feels that they will be ready to continue at that time. VOTE 6 YES/ 0 NO Motion approved.

ANR 62-64 Church Street: Presented by Attorney Parry for the estate of James Flynn. The applicant wishes to divide the property into 3 Lots. Each Lot will have the proper zoning compliance area and frontage on Church and / or Abbott Street. The existing structures, a residence garage, and former in-law residence will be razed. 2 duplex condos will be built on the lot, one facing Church Street and one facing Abbott Street. Commissioner is not pleased with the replacing of a single-family residence with 4 Condo units on ugly lots. This appears to be a loop hole when the by-law was amended. This needs the board to review, not what Mr. Sinibaldi pictured when the law was updated. He feels it is greed and not planning, wanted

in- fill not each single family replaced with 2 family structures. The board will agenda this discussion at the next meeting. Attorney Parry disagreed with the Commissioner's view. The following motion was made: To request an extension of the ANR to April 6, 2021. VOTE 3 Yes / 0 No MOTION APPROVED The applicant agreed to the extension and will supply the board with written confirmation on the next business day.

Karol MOTION: (2ND Tom) To request an extension from the applicant to April 6, 2021. VOTE: 3 YES / 0/No Motion Approved

Conceptual Plan 62 Church Street. The applicant was proposing an apart building at the corner of Church and Mechanic Street. The proposal did not meet the requirements of the Village Center District and will not go forward.

CORRESPONDENCE:

1. APPEALS BOARD: a, Petitions: None filed at posting b. Decisions: None filed at posting.
2. WARRANTS: None available for signing.

COMMUNICATIONS, NOTICES AND ANNOUNCEMENTS

1. Surrounding Towns: None filed at posting.
2. Next meeting date: April 6, 2021 to endorse the Church Street ANR
3. Next regular meeting April 20, 2021 to continue Special Permit Hearing with Site Plan Review for 118 East main Street.

ADJOURNMENT: 9:45 PM

- a. Decisions: None filed at posting.
 - a. WARRANTS: none signed.